In the Claims:

1. (Currently Amended) A method of modulating the growth of a cell, ~~said method~~ comprising contacting said cell with an effective amount of an agent for a time and under conditions sufficient to modulate the functional activity of sphingosine kinase wherein down-regulation of the functional activity of said sphingosine kinase down-regulates said growth and up-regulation of the functional activity of said sphingosine kinase up-regulates said cell growth.

2. (Currently Amended) A method of modulating the growth of a cell, ~~said method~~ comprising contacting said cell with an effective amount of an agent for a time and under conditions sufficient to modulate the level of functional activity of sphingosine kinase wherein down-regulation of the functional activity of said sphingosine kinase to an oncogenic ineffective level down-regulates said growth and up-regulation of the functional activity of said sphingosine kinase to an oncogenic effective level up-regulates said cell growth.

3. (Currently Amended) The method according to claim 2, wherein said growth is proliferation.

4. (Currently Amended) The method according to claim 3, wherein said modulation of proliferation is down-regulation of proliferation and said modulation of functional activity is down-regulation of functional activity.

5. (Currently Amended) The method according to claim 3, wherein said modulation of proliferation is up-regulation of proliferation and said modulation of functional activity is up-regulation of functional activity.

6. (Currently Amended) The method according to claim 4, wherein said proliferation is uncontrolled proliferation.

7. (Currently Amended) The method according to claim 6, wherein said cell is a neoplastic cell.

8. (Currently Amended) The method according to claim 7, wherein said neoplastic cell is a malignant cell.

9. (Currently Amended) The method according to claim 8, wherein said malignant cell is a cell from the colon, stomach, lung, brain, bone, ~~oesophagus~~ esophagus, pancreas, breast, ovary or uterus.

10. (Currently Amended) The method according to claim 9, wherein said malignant cell is a breast cell.

11. (Currently Amended) The method according to claim 9, wherein said malignant cell has become transfected due to up-regulation of an oncogene.

12. (Currently Amended) The method according to claim 11, wherein said oncogene is Ras.

13. (Currently Amended) The method according to claim 9, wherein said malignant cell has become transformed by sphingosine kinase overexpression oncogenic activity.

14. (Currently Amended) The method according to any one of claims 1-4 or 6-13, wherein said agent is N,N-dimethylsphingosine.

15. (Currently Amended) The method according to any one of claims 1-4 or 6-13, wherein said agent is ~~DL-threo-dihydrophingosine~~ DL-threo-dihydrosphingosine.

16. (Currently Amended) A method for the treatment ~~and/or~~ or prophylaxis of a condition characterized by aberrant, unwanted or otherwise inappropriate cell growth in a mammal, ~~said method~~ comprising administering to said mammal an effective amount of an agent for a time and under conditions sufficient to modulate the functional activity of sphingosine kinase.

17. (Currently Amended) A method for the treatment ~~and/or~~ or prophylaxis of a condition characterized by aberrant, unwanted or otherwise inappropriate cell growth in a mammal, ~~said method~~ comprising administering to said mammal an effective amount of an agent for a time and under conditions sufficient to modulate the level of functional activity of

sphingosine kinase wherein down-regulation of the functional activity of said sphingosine kinase to an oncogenic ineffective level down-regulates said growth and up-regulation of the functional activity of said sphingosine kinase to an oncogenic effective level up-regulates said cell growth.

18. (Currently Amended) The method according to claim 17, wherein said growth is proliferation.

19. (Currently Amended) The method according to claim 18, wherein said modulation of proliferation is down-regulation of proliferation and said modulation of functional activity is down-regulation of functional activity.

20. (Currently Amended) The method according to claim 18, wherein said modulation of proliferation is up-regulation of proliferation and said modulation of functional activity is up-regulation of functional activity

21. (Currently Amended) The method according to claim 19, wherein said proliferation is uncontrolled proliferation.

22. (Currently Amended) The method according to claim 21, wherein said cell is a neoplastic cell.

23. (Currently Amended) The method according to claim 22, wherein said neoplastic cell is a malignant cell.

24. (Currently Amended) The method according to claim 23, wherein said malignant cell forms a solid ~~tumour~~ tumor of the colon, stomach, lung, brain, bone, breast, ~~oesophagus~~ esophagus or pancreas.

25. (Currently Amended) The method according to claim 23, wherein said malignant cell forms a solid ~~tumour~~ tumor of the breast.

26. (Currently Amended) The method according to claim 24, wherein said malignant cell has become transformed due to oncogene up-regulation.

27. (Currently Amended) The method according to claim 26, wherein said oncogene is Ras.

28. (Currently Amended) The method according to claim 24, wherein said malignant cell has become transformed by sphingosine kinase over expression oncogenic activity.

29. (Currently Amended) The method according to any one of claims 16-19 or 21-28, wherein said agent is N,N-dimethylsphingosine.

30. (Currently Amended) The method according to any one of claims 16-19 or 21-28, wherein said agent is ~~DL-threo-dihydrophingosine~~ DL-threo-dihydrosphingosine.

31. (Currently Amended) The method according to any one of claims ~~16-30~~ 16-28, wherein said mammal is a human.

32. (Currently Amended) A pharmaceutical composition comprising an agent capable of modulating the functional activity of sphingosine kinase together with one or more pharmaceutically acceptable carriers and/or diluents for use in accordance with the method of any one of claims ~~1-31~~ 1-13 or 16-28.

33. (Currently Amended) The pharmaceutical composition according to claim 32, wherein said agent is N,N-dimethylsphingosine.

34. (Currently Amended) The pharmaceutical composition according to claim 32, wherein said agent is ~~DL-threo-dihydrophingosine~~ DL-threo-dihydrosphingosine.

35. (Currently Amended) A method of diagnosing a condition, or a predisposition or resistance to a condition[[,]] characterized by aberrant, unwanted or otherwise inappropriate cell growth in a mammal, ~~said method~~ comprising screening a biological sample from said mammal for the presence of sphingosine kinase or a nucleic acid molecule encoding sphingosine kinase.

36. (New) The method according to claim 29, wherein said mammal is a human.

37. (New) The method according to claim 30, wherein said mammal is a human.